

JEFFERSON COUNTY COMMISSIONERS  
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

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**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
April 15, 2008**

**Present:** Commissioners Lythgoe, Notbohm and Weber; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Dave Kirsch

**MINUTES**

Commissioner Weber moved to approve the minutes of March 25. Commissioner Lythgoe seconded. The motion carried.

Commissioner Weber moved to approve the minutes of April 1. Commissioner Notbohm seconded. The motion carried.

**CALENDAR REVIEW**

- 4/16 Elkhorn Mine Citizens Advisory Group - 10:00  
JLDC - 2:00  
Animal Shelter Group - 6:00  
Fire Council - Whitehall - 7:00
- 4/17 Tri-Co Working Group - 9:30
- 4/21 Walk-through at Wagner house - 10:00

**COMMISSION REPORTS**

Commissioner Notbohm stated that he attended the funeral the previous day for Gene Leuwer's son.

**MARIAH'S CHALLENGE**

Commissioner Weber reported that he moderated the Mariah's Challenge meeting in Whitehall on the 8<sup>th</sup>. This is an effort to have students pledge to not have MIP or DUI. If they successfully go through high school without a DUI or MIP, they will be eligible to receive a scholarship. This  
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stems from a young lady named Mariah who was hit and killed by a drunk driver in October in Butte. Those in attendance included Jim Lynch from MDT, Irene Strauss, school counselor, Tiffany Heaton, Deputy County Attorney, and Sheriff Craig Doolittle. There was also a very good turnout from the community.

Bill Brown, a citizen of Whitehall, volunteered \$500 to start the scholarship, as did Leo McCarthy, Mariah's father.

### TSEP PUBLIC HEARING

Commissioner Weber reported that the Commission held the 2<sup>nd</sup> public hearing on the TSEP project on the 9<sup>th</sup> in Whitehall.

### NORTH END LIBRARY NEEDS

Commissioner Weber reported that they had the first meeting of the north-end library needs committee. Bob Marks was voted chair. They are going to prepare specific questions for the library board to give them direction in their efforts to identify the needs on the north end.

### CORRESPONDENCE

A letter from Rob Myers was presented, which Commissioner Weber read. Mr. Myers is requesting a hearing at a Commission meeting. This will be placed on a future agenda.

Commissioner Weber stated that the Commission has received a Designation of County earmarked alcohol tax money form from Boyd Andrew. The designation form needs to be signed and returned. Commissioner Weber moved to sign the designation form. Commissioner Lythgoe seconded. Commissioner Notbohm asked if they sent any statistics of services rendered in Jefferson County. Commissioner Weber stated that this report was included. The motion carried.

Commissioner Weber read letter from the Forest Service regarding the north fork of Travis Creek/Buffalo Loop Road. They are asking for Jefferson County's interpretation of the current jurisdiction on this road. It is the understanding of the Forest Service that the road is private when it goes over private land, and is public when it goes over public lands. They are looking for records to establish the status of the road, and are motivated to assure the road in its current location through the private lands is public so that they can assure continued public access to the adjacent National Forest lands. If the county has no records supporting a county or public right-of-way across the private lands, the Forest Service will re-initiate contact with the private landowners to ask them about their willingness to either donate or sell an easement across their private lands. The letter went on to ask that if the Forest Service were to acquire easements from the private landowners, if the county would be interested in a reconveyance of the road to the county.

Commissioner Weber stated that Matt and Melissa did some research to try to determine if we have records showing this to be a county road, and we don't. He was thinking that a response

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from the Commission that we would like to have the road conveyed to us as stated in the letter wouldn't be a bad plan. The Commission discussed the location of the road. Commissioner Weber asked if the Commission feels that a letter accepting the conveyance makes sense. Both agreed that this would be a good plan. Commissioner Weber stated that he will write the letter. This will be a quick and clean way to clear things up and make this a county road.

## **ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

**RESOLUTION 15-2008 RESOLUTION TO AUTHORIZE SUBMISSION OF A TSEP GRANT**  
Commissioner Weber read the resolution as follows:

### **RESOLUTION 15-2008**

#### **A RESOLUTION TO AUTHORIZE SUBMISSION OF A TSEP APPLICATION**

**WHEREAS**, Jefferson County is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to construct improvements to county area bridges; and

**WHEREAS**, Jefferson County has the legal jurisdiction and authority to construct, finance, and maintain the proposed bridge improvements; and

**WHEREAS**, Jefferson County agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines dated January, 2008;

**NOW, THEREFORE, BE IT RESOLVED**, that Keneth Weber, Jefferson County Commission Chair, is authorized to submit this application to the Montana Department of Commerce, on behalf of Jefferson County, to act on its behalf and to provide such additional information as may be required.

**DATED** this 15<sup>th</sup> day of April, 2008.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Weber moved to adopt the resolution. Commissioner Notbohm seconded. The motion carried.

**RESOLUTION 16-2008 RESOLUTION TO COMMIT MATCHING FUNDS FOR A TSEP GRANT**

Commissioner Weber read the resolution as follows:

**RESOLUTION 16-2008**

**A RESOLUTION TO COMMIT MATCHING FUNDS FOR A TSEP GRANT**

**WHEREAS**, the Jefferson County Commission wishes to replace three bridges, and

**WHEREAS**, this project is estimated to cost up to \$321,380.00; and

**WHEREAS**, the Jefferson County Commission is required to match the TSEP Grant in funds. The fund amount shall be \$126,544.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Jefferson County Board of Commissioners, that the matching financial sum of \$126,544.00 shall be funded from Bridge Funds.

**DATED** this 15<sup>th</sup> day of April, 2008.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Weber moved to adopt the resolution. Commissioner Lythgoe seconded. Commissioner Notbohm asked how long we have before we have to come up with the money.

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Commissioner Weber stated that it won't be voted on until 2009, and we would have until possibly 2011 before we would need the money. The motion carried.

RESOLUTION 17-2008 RESOLUTION TO ADOPT PRELIMINARY ENGINEERING REPORTS FOR HANSON LANE BRIDGES (HL1 & HL3) AND QUAINANCE LANE BRIDGE (QL1)

Commissioner Weber read the resolution as follows:

**RESOLUTION 17-2008**

**RESOLUTION TO ADOPT THE FINAL PRELIMINARY ENGINEERING REPORTS TO COMPLETE BRIDGE IMPROVEMENTS**

**WHEREAS**, Jefferson County, Montana has completed Preliminary Engineering Reports (hereafter referred to as PERs for the Quaintance Lane Bridge (QL1), and two bridges on Hanson Lane (HL1 & HL3); and

**WHEREAS**, the PERs have identified needs for each of these County bridges; and

**WHEREAS**, the PERs provide recommendations for improvements to each of these bridges; and

**WHEREAS**, the PERs provide recommendations for funding the recommended bridge improvements; and

**WHEREAS**, Jefferson County, Montana has the legal jurisdiction and authority to construct, finance, operate and maintain the bridge system; and

**WHEREAS**, Jefferson County, Montana held two public meetings to review the PERs, review the recommended funding alternatives, and solicit public comment.

**NOW, THEREFORE, BE IT RESOLVED** by the Jefferson County Board of Commissioners, to adopt the Final PERs and recommendation for the Quaintance Lane Bridge (QL1), and two bridges on Hanson Lane (HL1 & HL3).

**DATED** this 15<sup>th</sup> day of April, 2008.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Weber moved to adopt the resolution. Commissioner Notbohm seconded. The motion carried.

Commissioner Lythgoe moved to adjourn. Commissioner Notbohm seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**